



CORPORATE OFFICES · LAW DEPARTMENT

VIA OVERNIGHT MAIL

US EPA RECORDS CENTER REGION 5



486679

September 24, 1993

Thomas W. Mateer, Chief  
United States Environmental  
Protection Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

**Re: Stickney Avenue Landfill Site  
and Tyler Street Dump Site**

Dear Mr. Mateer:

On August 16, 1993, we received the U.S. Environmental Protection Agency's ("U.S. EPA") request for information, pursuant to section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), regarding the potential involvement of the Dana Corporation ("Dana") at the landfill facilities known as the Stickney Avenue Landfill ("Stickney") and the Tyler Street Dump ("Tyler"), in Toledo, Ohio. By previous agreement, the U.S. EPA granted Dana an extension until September 30, 1993 to respond to that request for information.

On March 22, 1993, Dana submitted to Ms. Linda Beasley at U.S. EPA-Region 5, responses to a similar request for information regarding the Dura Landfill Site in Toledo, Ohio (the "Dura Response"). Upon review of the Dura Response in conjunction with additional interviews of current and former Dana employees, it is evident that the Dura Response provides the appropriate responses to requests for information concerning all three of the aforementioned sites--Dura, Stickney and Tyler. These three sites are located adjacent to one another. Our present information indicates that all three landfills were used on a regular, but random basis by Dana--although it is our understanding that Stickney closed much earlier than Tyler or Dura and that substantially less Dana material was sent to Stickney than was sent to Tyler or Dura.

It appears that when materials were to be taken from Dana's Bennett Road facility for disposal, the Dana driver would first go to whichever of the facilities that had most recently been used. It was not uncommon, however, for the driver, upon his arrival at the first facility, to be stopped at the gate and directed to one of the other facilities. On the basis of this information, it appears that the drivers tended to think of Tyler, Dura and Stickney (while Stickney was open) collectively as one large facility having separate entrances. Therefore, any reference to

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the Dura Landfill in the Dura Response should be interpreted, based on this information, as generically referring to all three facilities on a collective basis (i.e., if any material is identified as having gone to Dura, it may have gone to any of the three facilities; if material is identified as not having gone to Dura, then neither was any such material taken to Tyler or Stickney).

All of the information sought by U.S. EPA with respect to Dana's involvement at the Tyler and Stickney sites has already been provided. Therefore, where appropriate, the following responses simply make reference to the Dura Response, a copy of which is attached hereto.

With respect to the affidavits referred to in Instruction No. 7, Dana objects to this request on the basis that such affidavits are not reasonably required under Section 104(e) of CERCLA or Section 3007 of RCRA.

**1. Identify all persons consulted in the preparation of the answers to these Information Requests.**

Mark G. Hess  
Legal Counsel  
Dana Corporation  
P.O. Box 1000  
Toledo, Ohio 43697



**2. Identify all documents consulted, examined, or referral [SIC] to in the preparation of the answers to these Requests and provide copies of all such documents.**

Refer to Dana's Response No. 2 to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Requests or who may be able to provide additional responsive documents, identify such persons.**

Refer to Dana's Response No. 3 to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**4. List the EPA Identification Numbers of the Respondent.**

Refer to Dana's Response No. 4 to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release**

or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom.

Refer to Dana's Response No. 7 to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of material at the Site.**

Refer to Dana's Response No. 9 to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**7. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site. In addition, identify the following:**

**a) The persons with whom you or such other persons made such arrangements;**

Refer to Dana's Response No. 11(d) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**b) Every date on which such arrangements took place;**

**c) For each transaction, the nature or [SIC] the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substances was used or the process which generated the substance;**

Refer to Dana's Response Nos. 11(b) and (c) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**d) The owner of the waste materials or hazardous substances so accepted or transported;**

**e) The quantity of the waste materials or hazardous substances involved (weight and volume) in each transaction and the total quantity for all transactions;**

Refer to Dana's Response No. 11(i) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**f) All tests, analyses, and analytical results concerning the waste materials;**

Refer to Dana's Response No. 11(j) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**g) The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;**

Refer to Dana's Response No. 11(l) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;**

Refer to Dana's Response No. 11(k) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**i) Where the person identified in g., above, intended to have such hazardous substances or waste materials transported and all evidence of this intent;**

Refer to Dana's Response No. 11(m) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;**

Refer to Dana's Response No. 11(n) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;**

Refer to Dana's Response No. 11(o) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;**

Refer to Dana's Response No. 11(p) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

**m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material or hazardous substance involved in each transaction;**

Refer to Dana's Response No. 11(q) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;

Refer to Dana's Response No. 11(r) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

o) The price paid for (i) transport (ii) disposal or (iii) both of each waste material and hazardous substance;

Refer to Dana's Response No. 11(s) to the Dura Landfill CERCLA Section 104(e) and RCRA Section 3007 information request. A copy of that response, dated March 22, 1993 is attached hereto.

p) All documents containing information responsive to a-o above or in lieu of identification of all relevant documents, provide copies of all such documents.

q) All persons with knowledge, information, or documents responsive to a-p above.

8. If your waste was not taken to the Stickney Avenue Landfill Site or the Tyler Street Dump Site during the period from 1951 to 1981, where were your wastes taken and how were they disposed?

Dana objects to this question as overbroad and not relevant to determining hazardous substance disposal or potential liability at the Stickney Avenue Landfill and the Tyler Street Dump sites.

Very truly yours,

  
Mark G. Hess  
Legal Counsel